

Gina Harrison
Director
Federal Regulatory Relations

1275 Pennsylvania Avenue, N.W., Suite 400
Washington, D.C. 20004
(202) 383-6423

EX PARTE OR LATE FILED

PACIFIC  TELESIS
Group-Washington

December 10, 1996

DOCKET FILE COPY ORIGINAL

RECEIVED

DEC 11 1996

Federal Communications Commission
Office of Secretary

EX PARTE

William F. Caton
Acting Secretary
Federal Communications Commission
Mail Stop 1170
1919 M Street, N.W., Room 222
Washington, D.C. 20554

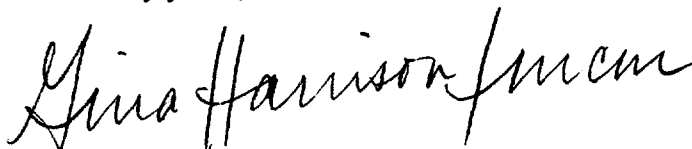
Dear Mr. Caton:

Re: CPNI, CC Docket No. 96-115

We are submitting a proposed CPNI notice as Attachment A and corresponding governing rule as Attachment B, in response to staff request. Please associate this with the above-referenced docket. We are submitting two copies of this notice, in accordance with Section 1.206(a)(1) of the Commission's rules.

Please stamp and return the provided copy to confirm your receipt. Please contact me should you have any questions.

Sincerely yours,



Attachments

cc: D. Atwood
W. Kehoe
A. Richard Metzger
B. Scinto
G. Teicher

No. of Copies rec'd
List ABCDE

021

Dear Customer:

You've seen many changes in the telecommunications industry recently, and many more are coming. As your local telephone service provider, we at Pacific Bell want to keep you well informed about changes affecting telecommunications services, and we'd like to help you evaluate how they apply to you.

As a result of a new law, the Telecommunications Act of 1996, Pacific Bell will soon be developing and offering you services that were not available from us before. Some of these services may be provided by Pacific Bell. Other services may be provided in your area by other members of the Pacific Telesis family of companies, and offered to you by Pacific Bell through special marketing arrangements. These new services may include long distance service, video services, paging services, and the new Personal Communications Service.

The new law allows us to develop new products, inform you about these new services, and help you order services you may wish to receive. It also gives you a choice about how Pacific Bell can use your local telephone account information when we communicate with you about services other than local telephone and related services.

What is your account information (CPNI)?

The new law calls your private account information Customer Proprietary Network information (CPNI). It consists of the following information that is not published in the directory: the quantity, technical configuration, type, destination, amount of use of the telecommunications service you purchase from us, and information contained in the bills pertaining to your telephone service. This is the information we use to provide you your local telephone service and to bill you for our services.

How we may use your account information

Whenever you call us about your service, our representatives look at your account records to help you.

With your approval, we and other Pacific Telesis companies can also use your records to develop new services and products and to inform you about the services and products you don't already have that may be of interest to you.

We treat your private account information confidentially, and do not make it available to anyone other than Pacific Telesis companies unless you tell us to in writing, or if we are required to by law.

You have a choice

As we mentioned above, the new law and rules recently enacted by the Federal Communications Commission (FCC) give you a choice about how we can use your local telephone service account information to inform you about other services, such as long distance service, video services, and the new Personal Communications Service. You don't need to take any action if you want to give approval for us to refer to your account information when we develop new services, communicate with you about these new services, or help you order them and for us to share this information with other Pacific Telesis companies. If, however, you would prefer that we not use your local telephone account information for these new services, you must return the attached, postage paid reply card or contact us at the number indicated below.

Other important facts about your choice:

- You need take no action to approve use of your account information by Pacific Bell and other Pacific Telesis companies to develop products and services, to inform you about them, and to assist you in setting up any new services you may wish to order.
- Your approval will become effective 30 days after this notice was mailed.
- If you do respond, your choice will remain in effect until you change it.
- You may change your choice at any time.
- If you request us not to use your CPNI for these new services, we may still use it to provide local telephone and related services. Also, we may still contact you about new products and services but we will not be able to refer to your local telephone service account information when we do so without your approval.

Except for the information you have published in the telephone directory, all of your Pacific Bell Account information is kept private—we do not sell (or give) your private account information to other businesses outside the Pacific Telesis family without your prior written approval or as required by law.

Still have questions about CPNI? Call us at 1-800-XXX-XXXX

Response Form
Customer Proprietary Network Information

No response is needed unless you want to limit the use of your account information by Pacific Bell and the Pacific Telesis family of companies.

Account Name(s): _____

Billing Number(s): _____

Address: (Street): _____

(City): _____

(State & ZIP) _____

Contact Name: _____

Telephone Number: _____

Dear Pacific Bell,

___ I do not approve use of my local telephone service customer proprietary network information except for the provision of that service and services necessary to, or used in, providing that service.

Comments: _____

Name: (Please Print) _____

Date: _____

Authorized Signature: _____

Still have questions about CPNI? Call us at 1-800-XXX-XXXX

FCC Policy or Rule on Notice and Approval for Use of CPNI

- (a) A telecommunications carrier may obtain the approval of its customer to use, disclose, or permit access to individually identifiable customer proprietary network information that it receives or obtains by virtue of its provision of telecommunications service by: (i) receipt of written approval, including email, from the customer; (ii) oral approval by the customer in person or by telephone; or (iii) giving the customer written notice with an opportunity to opt out.
- (b) At a minimum a notice under option (iii) must be printed in a readable type of sufficient size to be clearly legible and must contain clear and unambiguous language that confirms:
 - (1) The subscriber's billing name and address and each telephone number to be covered by the proposed CPNI opt-out;
 - (2) The ways in which the carrier intends to use the CPNI, including whether it will be used for service development and/or for marketing and selling services, the general categories of products or services with which it will be used, and whether affiliates of the carrier will use the CPNI; and
 - (3) The customer's right to "opt-out."
- (c) The notice shall provide the customer with a readily available method of opting out, such as a postage-paid card or a toll free number. An opt-out approval shall not be effective until 30 days after mailing of the notice.